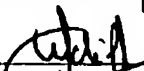


**RECEIVED
CENTRAL FAX CENTER**

SEP 15 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to the U.S. Patent & Trademark Office
in accordance with 37 CFR § 1.6(d) on the date indicated.



Name

Sept 15/04

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Melissa Carpenter et al.

Art Unit: 1632

Filing Date: October 23, 2001

Examiner: Thái-An N. Ton, Ph.D.

Serial No: 10/039,956

Docket: 091/009c

Title: USE OF HUMAN EMBRYONIC STEM
CELLS FOR DRUG SCREENING AND
TOXICITY TESTING

**AMENDMENT AND RESPONSE TO OFFICE ACTION
UNDER 37 CFR § 1.116**

Commissioner for Patents
Alexandria VA 22313

Dear Sir,

This paper is responsive to the final Office Action on the merits, dated August 10, 2004, for which a response is due November 10, 2004. Accordingly, this paper is timely filed.

Applicant has given careful consideration to the analysis in the Office Action. The following amendments and remarks put the case in better condition for allowance or appeal. Accordingly, please enter this paper into the file in accordance with 37 CFR § 1.116.